

REMARKS

Claims 1-6 are now pending. Claims 1-4 were rejected under 35 U.S.C. §102(e) as being unpatentable over Gu *et al.* (US 6,693,882).

As noted by the Examiner in the rejection, “A person shall be entitled to a patent unless...” Accordingly, the Examiner bears the initial burden of providing a *prima facie* case that a claim is anticipated. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegall Bros. v. Union Oil Co. of California*, 814 F2d 628, 631 (Fed. Cir. 1987) (See MPEP 2131).

In asserting Gu *et al.* against claim 1, the Examiner refers to item 30 of Fig. 3, which is described as a frequency burst detector 30, along with equations 2-4 as well as most of columns 3 and 4. In reviewing the cited material with great care, Applicant is unable to identify any mention of delaying the received signal by a period that is an integer multiple of the symbol period to produce a reference signal. The applicability of Eqs. 2-4 is also unclear as these equations are provided “In order to obtain the frequency error information....”, and not to detecting a frequency correction burst signal, or producing a correlation result indicative of a location of the frequency correction burst signal with the received signal. Furthermore, column 5, lines 1-22 discuss the level of sensitivity to frequency error, instead of being insensitive to a frequency offset in a nominal carrier frequency of the received signal. The rejection of claim 1 based upon Gu *et al.* fails to provide sufficient detail to support a 102(e) rejection. Accordingly, Applicant respectfully requests allowance of claim 1.

Claims 2-4 depend from independent claim 1, and are not anticipated by Gu *et al.* for at least those reasons given above in connection with claim 1.

Claims 5-6 were rejected as obvious based upon Gu *et al.* in view of Junell (US 5,953,629). Junell was cited as a basis for down converting the intermediate frequency signal.

As Junell fails to provide for those elements which Gu *et al.* failed to adequately describe, as discussed above in connection with claim 1, the combination of Gu *et al.* and Junell fails to provide all of the elements of claim, and therefore fail to render dependent claims 5 and 6 obvious. Applicant respectfully requests allowance of claims 5 and 6.

Conclusion

In view of the foregoing remarks, allowance of claims 1-6 is urged, and such action and the issuance of this case are requested.

Respectfully submitted,

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